

Protective Order Committee  
Judicial Conference of Indiana

**Minutes**  
July 23, 2004

The Protective Order Committee met at the Indiana Judicial Center on Friday, July 23, 2004 from 12:00 noon – 3:00 p.m.

1. Members present. Tammy Baitz, Thomas H. Busch, J. Douglas Knight, Lynne Spevak, and John W. Forcum, Chair
2. Staff present. Jeffrey Bercovitz and Tom Jones provided the committee with staff assistance.
3. Minutes. The minutes for June 25, 2004 were approved.
4. Legislative proposal by Senior Judge Reichard. Committee members reviewed the legislative proposal by Senior Judge Reichard recently received by the Judicial Center.
5. Protection Order forms.
  - a. Committee members revised PO-0104, Confidential Form; PO-0105, Ex Parte Order; PO-0108, Petitioner's Verified Request For Dismissal; PO-0112, Order of Protection (Short Form); PO-0113, Order of Protection (Long Form); PO-0117, Notice of Extension or Modification; and revised a new form PO-0121, Order Modifying An Order For Protection Adding Brady Law Prohibition.
  - b. Judge Forcum talked with Major Meek, Indiana State Police, who expressed no concerns about the amendments to the Confidential Form and various Orders for Protection.
  - c. Committee members agreed to place the revised forms on the website and place notice on the website when the deskbook will be available.
  - d. Mr. Bercovitz distributed some protection order forms translated into Spanish. The committee agreed to refer them to the Committee on Race and Gender Fairness or the Pro Se Committee for review. The Protection Order Committee agreed, for consistency, there should be one entity in charge of form translations.
6. Protection order question. Tom Jones recently received an email from a clerk concerning the length of time a clerk has to present a protection order petition to a judge and how long the judge has to rule on it. Committee members agreed the local court should determine in advance with the Clerk on a procedure for the prompt adjudication of the matters contained in the petition.
7. Future committee projects. Committee members discussed the following future projects:
  - a. Conduct a survey of counties to determine protection order procedures in use by Clerks and courts in order to develop best practices for statewide use; Committee members agreed to observe the process in their county to help develop the survey and report back in August.
  - b. Determine how many persons are downloading which protection order forms;
  - c. Determine how many victim programs in counties do not assist in completing protection order forms since only Clerk's have immunity by statute for this task; determine how courts/clerks administer cases in which persons do not qualify for protection orders; and
  - d. Assist JTAC in the development of the case management system for protection orders.

8. Next meeting date.

a. Committee members agreed go to observe the entry process for a protection order. The process observed would include how a member of the public walking into the Clerk's office obtains the proper paperwork, entry of a protection order by the judge, and placing the order into IDACS by local law enforcement. They agreed to write a summary of this process before the August meeting. Mr. Bercovitz agreed to arrange a walk-through the State Police data entry section with Major Meek to see the final portion of the process.

b. Members of the committee agreed to meet at the following times: Friday, August 27, 2004; October 22, 2004; meet either January 28 or February 25, 2005, if the January meeting occurs then no February meeting; March 25, 2005; April 22, 2005; June 24, 2005; July 22, 2005; and August 26, 2005; all from 12:00 noon – 4:00 p.m. at the Indiana Judicial Center.

Respectfully submitted,

Jeffrey Bercovitz, Director  
Juvenile and Family Law